

HARROW COUNCIL

SUPPLEMENTAL ADDENDUM

PLANNING COMMITTEE

DATE: 22ND JANUARY 2020

2/03

1. ADDENDUM ITEM 1: Amendments to drawing condition to include a swept path analysis of the car park received on 21/01/2020. The applicant has also noted that that with the on-site security / marshalling on the Sabbath / Event days a 'car park full' sign would be used.



Approved Drawing and Documents

Save where varied by other planning conditions comprising this planning permission, the development hereby permitted shall be carried out, completed and retained in accordance with the following approved plans and documents:

- Plans:
 3189_001; 3189_011; 3189_020; 3189_050 Rev B; 3189_051 Rev E;
 3189_052 Rev G; 3189_053 Rev G; 3189_060 Rev D; 3189_070 Rev E;
 3189_071 Rev E; 3189_072 Rev F; 3189_073 Rev A; 3189_074; 3D images;

	<p>3189_076 Bay Study; SK06</p> <p>Documents: David Clark Arboricultural Report October 2018 (including Arboricultural Impact Assessment and Arboricultural Method Statement) and Tree Protection Plan Drwg No TPP/65SHS/010 Rev A; BVP Daylight and Sunlight Report October 2018; Design and Access Statement; CSA Environment Ecological Technical Note September 2018; EAS Flood Risk Assessment and Sustainable Drainage Statement December 2018; Heritage Collective Heritage Statement October 2018; NSL Planning Noise Assessment September 2018; TRC Phase I/II Geo-environmental Site Assessment October 2018; SLR Phase I/II Geo-environmental Site Assessment November 2017; SLR Factual Geo-Environmental Report; LSR Groundwater Monitoring Report May 2017; Planning Statement January 2019; EAS Transport Statement December 2018; Heritage Statement Addendum April 2019; Scheme Amendments and Responses to Consultation Responses – Addendum to Planning Statement May 2019; Stanmore Hill Synagogue Events Management Plan (draft) April 2019; Supplemental Planning Note: Synagogue Membership and Saturday Sabbath Service Arrangements July 2019.; Revised Draft Stanmore Hill Events Management Plan January 2020.</p> <p>REASON: For the avoidance of doubt and in the interests of proper planning.</p>
<p>1/05</p>	<p>1. In reference to paragraph 6.10.6 relating to transport impact, TfL have confirmed in writing that having regard to the bus service contribution already secured under the extant outline permission, the level of bus service contribution sought for this application has been reduced £475,000. The applicant has now confirmed and agreed to the bus service contribution of £475,000.</p>
<p>1/03</p>	<p><u>Recommendation A</u> 3) After the Director of Legal and Governance Services please include <i>and the Chair of the Planning Committee</i>.</p> <p><u>Recommendation B</u> 3) Replace 22nd April 2019 with 22nd April 2020.</p> <p><u>Conditions</u> The Highways Officer has confirmed that in accordance with the Draft London Plan (2019) standards one accessible parking space should be provided within the curtilage of the site. Therefore the following condition is proposed.</p> <p>The residential units hereby permitted shall not be occupied until details relating to the provision of one accessible parking space (of a standard size) has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details. Such spaces shall not be used for any purposes other than for the parking of motor vehicles used by residents of the development for blue badge holders/disabled</p>

	<p>persons only, and for no other purpose, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure accessible car parking provision is available for use by the occupants of the site and in accordance with policy T6 of The Draft London Plan (2019) and policies DM1 and DM42 of the Harrow Development Management Policies Local Plan (2013).</p>
<p>1/04</p>	<p><u>Recommendation A</u></p> <p>iii) After Director of Legal and Governance Services include <i>and Chair of the Planning Committee</i>.</p> <p><u>Relocation Strategy – TBC</u> Replace TBC with - To be confirmed following the GLA Stage 2 Response.</p> <p><u>Equalities</u> Replace all text with the following</p> <p><u>EQUALITIES</u></p> <p>As per Section 149 of the Equalities Act 2010, a public authority must, in the exercise of its functions, have due regard to the need to—</p> <ul style="list-style-type: none"> a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>The Equalities Act confirms that the protected characteristics are: age, disability, gender reassignment; pregnancy and maternity, race, religion, belief, sex and sexual orientation.</p> <p>The Public Sector Equality Duty does not impose a duty to achieve a particular outcome. However, the planning process is required to demonstrate that meaningful community engagement and equalities issues have been accounted for and that diverse groups are not systematically disadvantaged by public authority processes.</p> <p>According to the Victory to Victory (V2V) Community Church website, V2V is a non-denominational church comprising nominated executive board members, leaders and volunteers. It provides a number of services and functions to young parents, elderly, homeless, children and other members of the congregation.</p> <p>The committee will note that the Local Planning Authority notified of Victory to Victory (V2V) Community Church of the planning application. Furthermore, a site notice was displayed on the outside the host building, comprising the church. As of today's date, the site notice remains in-situ. The LPA did not receive a response from the Church</p>

until Monday 20th January 2019. A copy of the letter is attached as **Appendix 1**, which is summarised below:

Summary of Comments

The planning committee report assumes that the Church does not have a strong community function. This is contradicted by the fact that the Church has been registered as an Asset of Community Value.

The church were contacted by the Applicant prior to the application stage, but not at any point throughout the planning application process.

The Applicant has not sought to engage with the Church once the GLA issues its Stage 1 Referral on 18 November 2019.

The information provided by the Applicant on the congregation and the use of the Church is inaccurate.

Attendance logs are provided in their letter.

The church provides a range of community activities:

- Elderly groups;
- Summer camp;
- Youth club and retreat week;
- Parent development classes;
- Other education classes.
- Bereavement, parenting, marriage, fitness, media and health checks.

Report fails to acknowledge the large proportion of objections relating to the loss of the church.

A permanent base has enabled the church to establish itself within the local community.

V2V Church is the only branch in the UK. It cannot be assumed that its congregation would be accommodated by other churches given its very specific faith following.

Committee Report suggests a legal agreement to include a Relocation Strategy. No detail on the scope or robustness of the strategy is available for scrutiny by the Church or committee members.

The presentation of the application at the planning committee is premature given the misunderstanding of the functions the Church has within the community and the matters remain unresolved. This would put our client in a position of undue disadvantage.

Officer Comments

It is noted that the ground floor of the premises has been designated as an Asset of Community Value. However, the proposed development incorporates a community use i.e. a cinema, at ground floor level. The Review of Decision to List Safari Cinema as an Asset of Community Value concludes by saying whether the use of the ground floor will continue to be used as a place of worship (Use Class D1) and or assembly leisure (Use Class D2), both uses would further the social wellbeing or social interests of the local community.

It is noted that attendance logs have now been provided. However, information on

*the location of the congregants has not been submitted and therefore the information submitted does not demonstrate that the church serves a local community. In addition, as policies 3.16 of The London Plan (2016) and S1 of The Draft London Plan (2017) are not relevant to the proposed development, there is no policy basis for the LPA to request the applicant to submit a Relocation Strategy. However, the applicant has recently submitted a Relocation Strategy (**attached as appendix 2**). Depending on the Stage 2 response from the GLA, the GLA may request a planning obligation in relation to a Relocation Strategy. For further information please refer to Section 6.2 - Principle of Development in the Planning Committee Report.*

The applicant has submitted an Equalities Impact Assessment (EQIA) with the application. The EQIA is attached as **appendix 3**.

The assessment identifies 18 impacts (positive, negative and neutral) of the proposed development on people with protected characteristics. Harrow Council has an Equalities Champion for the Communities Division who was consulted on this proposal. The Champion confirmed the following “The EQIA is competently produced and fully address the issues and mitigations of displacement of sitting tenants and leaseholders and any impact on the local community”

The EQIA identifies the following negative and positive impacts associated with the protected characteristics:

Protected Characteristic	Impact
Age	<ul style="list-style-type: none"> • Temporary - Minor Negative Impact • Positive Impact
Pregnancy and Maternity	<ul style="list-style-type: none"> • Temporary - Minor Negative Impact
Race or Ethnicity	<ul style="list-style-type: none"> • Temporary - Minor Negative Impact • Long- Term - Minor Negative Impact
Religion or Belief	<ul style="list-style-type: none"> • Temporary - Major Negative Impact • Long- Term - Major Negative Impact
Disability	<ul style="list-style-type: none"> • Positive Impact
Pregnancy and Maternity	<ul style="list-style-type: none"> • Positive Impact

Negative Temporary Impacts

The Submitted EQIA identifies **four negative temporary impacts**, summarised in the below table:

Protected Characteristi	Proposed Mitigation/Comments
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Age	<p>Temporary - Minor Negative Impact</p> <p>The church provides events dedicated to children. The main impact to the church will be due to the closing of existing premises and being required to move. Anticipated that the V2V Church could and would more than likely find alternative premises. In the shorter term the redevelopment of the site and the temporary discontinuation of the Church's services are likely to represent a minor negative impact on children and young people. However, there may be no interruption if the church is able to find alternative premises before construction starts.</p>
Pregnancy and Maternity	<p>Temporary - Minor Negative Impact</p> <p>V2V church provides space and sessions for mothers and young children. It is unclear if this service is utilised by mothers and young children who are not affiliated with the congregation. There are a number of alternative groups in the surrounding area.</p>
Race or Ethnicity	<p>Temporary - Minor Negative Impact</p> <p>It is understood that the existing congregation consists primarily of groups from BAME backgrounds and some of the activities and style of workshop can be considered to be culturally specific. It is assumed that the short-term loss of the church would represent a disproportionate short-term minor negative impact on local Harrow residents who belong to ethnic minority groups.</p> <p>The cinema screens primarily South Asian films and it is assumed that the majority of the audience are South Asian viewers. The proposed ArtHouse Cinema will include a screen dedicated to South Asian films. The anticipated two year construction period will interrupt the existing service however there are cinemas within walking distance that regularly screen Bollywood and South Asian films. It is therefore assumed that the proposal would have a short-term minor negative impact on the local South Asian community.</p>
Religion or Belief	<p>Temporary - Major Negative Impact</p> <p>The redevelopment of the church could result in a short-term discontinuation of a religious service before the church finds alternative premises. In the event that alternative premises are identified for the church and moved into prior to the construction period, the ultimate impact might be minor.</p>
<p>As per the EQIA, the key mitigation measures proposed for the negative temporary impacts are as follows:</p> <ol style="list-style-type: none"> 1. Consultation with affected occupiers, to enable them to make their own plans to respond to any impacts; and 2. Sharing details with the V2V Church of potential, available alternative sites. <p>The Submitted EQIA identifies two negative long-term impacts, summarised in the</p>	

below table:

Protected Characteristic	Proposed Mitigation/Comments
Race or Ethnicity	<p>Long- Term - Minor Negative Impact</p> <p>The relocation of the church away from the Safari Cinema site will most likely disadvantage any local residents who belong to the congregation in the longer term, given the increased difficulty of accessing the Church from that location. However based on findings from the travel survey included in the Transport Statement accompanying the 2014 planning application for change-of-use on the site, it is likely that the majority of the congregation do not live in Harrow. Therefore the relocation of the church to different premises but within the wider local area will most likely be an advantage to some congregants and a disadvantage to others.</p>
Religion or Belief	<p>Long- Term - Major Negative Impact</p> <p>If the V2V Church struggles to relocate for a short period of time the impact will be a minor negative permanent impact. In reality, some of the current congregation will have to travel further and some will need to travel less. As a result, for some people it is possible that the change may even be a minor positive permanent impact.</p>

The Submitted EQIA identifies **three positive long-term impacts**, summarised in the below table:

Protected Characteristic	Comments
Age	<p>Positive Impact</p> <p>The proposed cinema will include dedicated workshop space to accommodate community activities targets specifically at young people looking to acquire new skills. Given that the services are contained in a facility which is not associated with a specific religious group, it is anticipated that such services could have a wider reach to a greater proportion of local young people, in what is a very religious and ethnically diverse area.</p>
Disability	<p>Positive Impact</p> <p>Accessibility of the site will improve through enhanced access to the cinema complex from Station Road (there is no wheelchair access to the current cinema). The workshop space proposed will also be wheelchair access. The improvement of the facility from one which was not specifically designed with disabled users in mind to one with integrated features to accommodate such groups will represent a</p>

	positive long-term impact on those with disabilities.
Pregnancy and Maternity	Positive Impact The loss of the church is balanced by the arrival of a cinema with specialised facilities and screenings which will appeal to a wider range of young mothers. Given that the services are contained in a facility which is not associated with a specific religious group, it is anticipated that such services could have a wider reach. ArtHouse Cinema in Crouch End currently provides a number of specialised parent/children events and it is assumed that a similar service would be provided in Harrow if a demand is identified.

Based on the above, in determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

Relocation Strategy

The applicant has submitted a Relocation Strategy (attached as appendix 2) to explore a number of options for the potential relocation of the church. Figure 1 on page 3 of the Strategy shows that a high proportion of objectors listed their address as within 5km of the site, and a significant number of objectors living outside of London or in areas of Central, East and South London.

The Strategy proposes the following Site Selection Criteria:

1. Distance from existing site;
2. Accessibility;
3. Capacity/square footage;
4. Number of parking spaces;
5. Cost
6. Level access;
7. Kitchen and classroom space;
8. Visibility

Furthermore, page 15 of the report confirms that the application is willing to offer the following to the church:

1. A one-off financial contribution (up to £100,000) towards fit-out costs;
2. A one-off payment towards the legal expenses associated with the Church's relocation (up to the sum of £10,000);
3. The provision of planning advice to secure any change of use where required; and
4. A payment for the first year of rent irrespective of the location of the new premises (up to £100,000).

Transport for London

On the 16th January, Transport for London responded on the amended Transport Assessment and the Memorandum dated. The TFL comments are summarised

below:

- *Delivery and Servicing.* In principle we have no major concerns with the implementation of the new new 8m loading bay on High Mead. The provision of a 'Copenhagen-Crossing' might help to prevent vehicles reversing onto Station Road.
- *Healthy Streets and Vision Zero.* We welcome the identification of mitigation measures. The technical note sets out a commitment from the applicant to fund these mitigation measures. Please confirm this amount and any scope in advance of Stage 2 referral.
- *Car Parking.* Technical note does not refer to the provision of a non-residential disabled persons parking space, as per the Draft London Plan (2019). Providing the route is obstacle free, the location of the 3 accessible spaces appear to be adequate to access Core A, where the majority of the wheelchair units are to be located. Still have a concern regarding the lack of internal access from the rear parking area in order to access Core B and Core C. Applicant is encouraged to explore opportunities to provide individual on-street disabled parking bays on High Mead from the outset. No objection to the proposed reallocation of kerbside space where existing pay and display spaces are available. Given the above, the proposed condition (condition 29) relating to the Parking Design and Management Plan is welcomed.
- *Trip Generation, Public Transport Impact Assessment.* Taking into consideration the characteristics and quantum of development, as well as the identified set of mitigation measures, it is accepted that there would be no strategic impacts on the capacity of the public transport network. TFL will not seek financial contribution towards the local public transport improvements.
- *Cycle Parking.* The applicant needs to ensure that the internal arrangements meet the London Cycle Design Standards. It is noted that all cycle parking has been secured by conditions 31 and 32 and this is welcomed.

Officer Comments:

The TFL comments as summarised above are noted and it is considered that in accordance with the advice received from the Highways Department, the proposed development would not have a detrimental impact to highway safety and subject to conditions and planning obligations to be secured through a S106 Legal Agreement, appropriate servicing arrangement, cycle and accessible spaces will be secured.

2.1 – communal amenity space is proposed at first and eighth floors

6.6.2 – Please note that all units comply with policy 3.5C of The London Plan (2016) with regards to floor space. Please disregard the second and third sentence.

6.11.1 The Agent has confirmed that all units are wheelchair adaptable and 10% are wheelchair accessible.

Condition 2: Approved Drawings and Documents

Approved Documents: include the following: Yes Engineering Memorandum dated 07-01-2020; Equalities Impact Assessment (WSP)

1/10	For clarity the petition received relates to application P/2504/19 - proposed
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modification to the Section 106 stating:

The School wish to construct a “New” Oldfield House directly in front of the existing Oldfield House, in an open area of the protected Harrow on the Hill Conservation Area, and then later demolish Oldfield House

In their application the school appears to have purposefully misrepresented the section 106 agreement to suggest that it relates to footprint rather than location and then use this as a pretext to justify a new build outside the agreed built envelope, as long as it occupies the same footprint.

The rationale for having a no-build envelope around Oldfield House in 1995 was the same then as now i.e. the preservation of the character of the Harrow on the Hill Conservation Area. It did not relate to the footprint of the buildings.

The reasons that there were no proposed pockets of development allowed in the Oldfield House site was that, unlike the rest of the school which is located in the Roxeth Hill conservation area, the Oldfield House site is located in, and is very important part of, the Harrow on the Hill conservation area. As a result any development outside the current Oldfield House build envelope would:

1. Block important views and be insensitive to the street scene of the Harrow on the Hill Village Conservation Area. The proposal would remove a significant part of this. The view from the north end of Middle Road would be dominated by this proposed four-storey linear building in the centre of the site. Its bulk, massing, and height will block the sense of openness and restrict views to the lower slopes and beyond.
2. Urban maps highlight the elements that have helped determine the Harrow on the Hill village conservation area. Development is concentrated along roads in a ribbon like fashion with little building on back land areas. The proposal ignores this by being sited in the middle of the open field.
3. The prevailing building height of the majority of properties is two storeys with pitched roofs. The proposal ignores this, the height of the proposed building is totally inappropriate for this site. It will loom over the existing Crown Street wall and provide a much more dominant bulk to be seen from Byron Hill and Crown Street – and from Lower Road.
4. To protect existing residential areas from intrusive and large-scale development and prevent the erosion of the area’s character in these parts. the proposal ignores this. The height and bulk of the proposed building is totally inappropriate for this site. It will loom over, and be overbearing on, the surrounding, residential properties.
5. To prevent poor infilling as traditional building lines are often lost when set back from the road. As in this proposal, which is, at its core, simply a back garden development.
6. To preserve the setting of multiple surrounding listed properties. The proposed development’s additional height would have a major impact on the setting the listed Suffolk House opposite, which also has a window facing the proposed development. The proposed development’s siting, bulk and height would also be overbearing on the neighbouring Grade II listed Howard house and its environs.
7. To preserve the established trees. The site is screened to some extent by established trees which add to the character of the conservation area. In the proposal there are six trees being removed along the southwest boundary along. The tree loss on the southwest boundary will make the building even more dominant.

	<p>No case has been made for a change to the section 106 agreement. The educational rationale is not proven nor confidentially demonstrated. The reason for proposing a building bang in the middle of the no build, open, area relates to non-planning relating matters i.e. "For minimum disruption to learning". This is a short term operational issue for the School and should not be used to dictate the location of a building which would then have a long term detrimental impact on the area and neighbouring residents.</p> <p>In addition if required, the school's stated aims would be better achieved with the use of temporary classrooms and rebuilding on the current footprint of Oldfield house. This would not require any amendments to the section 106</p>